



MICHAEL J. HEFFERNAN  
COMMISSIONER

KEVIN W. BROWN  
GENERAL COUNSEL

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***The Commonwealth of Massachusetts***  
***Department of Revenue***  
***Resolution Division – Litigation Bureau***  
***100 Cambridge Street, 7<sup>th</sup> Floor***  
***P.O. Box 9565***  
***Boston, MA 02114-9565***

October 24, 2018

Mr. Robert M. Farrell, Clerk  
United States District Court  
John Joseph Moakley U.S. Courthouse  
One Courthouse Way, Suite 2300  
Boston, Massachusetts 02210

Re: United States of America v. David L. Toppin, et al.  
United States District Court Civil Action No. 4:17-CV-40011-TSH

Dear Mr. Farrell:

Enclosed please find the Defendant, the Commonwealth of Massachusetts Commissioner of Revenue's Assented-To-Motion to Continue Status Conference along with the Certificate of Service for filing in the above-entitled action.

Thank you for your assistance.

Sincerely,

/s/ Eileen Ryan McAuliffe  
Eileen Ryan McAuliffe  
BBO No. 435260  
Counsel to the Commissioner  
(617) 626-3217

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
CENTRAL DIVISION**

UNITED STATES OF AMERICA, )  
Plaintiff ) Case No. 4:17-CV-40011-TSH  
v. )  
DAVID L. TOPPIN, )  
JENNIFER TOPPIN, )  
DEUTSCHE BANK NATIONAL TRUST )  
COMPANY, as Trustee for RESIDENTIAL )  
ASSET SECURITIZATION TRUST Series )  
2013-A14, MORTGAGE PASS-THROUGH )  
CERTIFICATES Series 2003-N, )  
UPS CAPITAL BUSINESS CREDIT f/k/a )  
FIRST INTERNATIONAL BANK, )  
COMMONWEALTH OF MASSACHUSETTS, )  
TOWN OF HOLDEN, )  
TOWN OF AMHERST, and )  
TOWN OF GARDNER )  
Defendants )

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**ASSENTED-TO MOTION TO CONTINUE STATUS CONFERENCE**

The Defendant, the Commonwealth of Massachusetts Commissioner of Revenue (the “Commissioner”) hereby requests a continuance of the Status Conference scheduled in this action for Thursday, January 10, 2019. The Commissioner, by e-mail, notified all of the parties of record of this request and there has been no opposition to the request. If it is convenient for the Court a new date for the Status Conference in this matter is requested for any day from Tuesday, February 5, 2019 through Friday, February 8, 2019.

**WHEREFORE**, the Commissioner respectfully requests a continuance of the Status Conference currently scheduled in this matter for Thursday, January 10, 2019.

**CHRISTOPHER C. HARDING  
COMMISSIONER OF REVENUE  
By his attorney**

**/s/ Eileen Ryan McAuliffe**  
**Eileen Ryan McAuliffe (BBO# 435260)**  
**Counsel to the Commissioner**  
**Massachusetts Department of Revenue**  
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**Boston, MA 02114-9565**  
**Phone (617) 626-3217**  
**[mcauliffe@dor.state.ma.us](mailto:mcauliffe@dor.state.ma.us)**

**DATED:** October 24, 2018

**CERTIFICATE OF SERVICE**

I, Eileen Ryan McAuliffe, hereby certify that this document filed through ECF System will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those identified as non-registered participants on October 24, 2018.

/s/ Eileen Ryan McAuliffe  
**Eileen Ryan McAuliffe**

**Dated: October 24, 2018**

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